

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION

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Appellate Case No. 2014-001788

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Clarence Winfrey, Employee, Claimant, ..... Respondent,

v.

Archway Services, Inc., Employer,  
and American Fire & Casualty Insurance  
Company c/o Liberty Mutual Group, Carrier, ..... Appellants.

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AFFIDAVIT OF PRESTON F. MCDANIEL

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I, Preston F. McDaniel, having been duly and properly  
sworn, do depose and state:

1. That I am Counsel for the Claimant in the above-  
referenced matter. The Records attached to this Affidavit  
include reports from Mr. Howard Altman, medical records  
received from Mr. Howard Altman, and emails received by my  
office from Mr. Howard Altman and/or Mr. Brett Bayne as  
part of the normal course of business concerning my

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representation of Mr. Winfrey in his workers' compensation claim.

2. That to my knowledge Mr. Winfrey was referred by the designated treating physician, Dr. Lanneau Lide, under the Award of the South Carolina Workers' Compensation Commission to the Medical University of South Carolina for treatment related to his heart condition stemming from his work-related accident. To my knowledge, all medical care and evaluation that has been provided up until the date of this controversy has been scheduled by, authorized by, provided by and paid for by the Defendants in this matter, through Mr. Howard Altman who is the independent, nurse case manager and the agent of the Defendants to provide nurse case management under the Award of the Commission. As far as I knew, and as far as the Claimant was concerned, to my knowledge, the Claimant was evaluated for a heart transplant and then the possibility of a surgery to repair a leaking valve, and then possible needed replacement. I have nothing in my file nor have I been advised by any doctor involved in this situation that this is not related to the heart conditions stemming from the Claimant's work-related accident. I have not received any notification from

Defense Counsel as to any inquiry made to Dr. Lanneau Lide or to Dr. Jeffrey Travis in reference to this medical care.

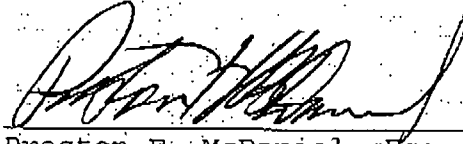
3. That according to my knowledge and as far as I know, to the knowledge of Mr. Winfrey, the doctors at MUSC were contemplating three potential surgeries and were evaluating those three ways to address currently his problems and into the future. Those included a heart transplant, repair of a leaking valve and/or replacement of the valve. The decision was made by the doctors at MUSC that the valve needed to be replaced. Prior to that surgery which was in the process of being scheduled, to my knowledge obtained from Mr. Howard Altman and from the Claimant, the doctors at MUSC wanted to have a dental evaluation performed which was for the purpose of clearing Mr. Winfrey for surgery. The purpose of that dental evaluation is born out by the email received from Ms. Laura Waters, who upon information and belief, is the nurse coordinator for the SC Heart Valve Center at MUSC.

4. That I made inquiry of the Defendants concerning these Claims Administration issues and as to the basis for the refusal by the Defendants to authorize this medical care. The only response that I have received is that the

Defendants continue to dispute, "causation and compensability". No other statement or bases as been given for this abrupt refusal of medical care requested and recommended by MUSC and the physicians there.

According to my understanding obtained from my client, the medical records available and from the reports of Mr. Howard Altman, my client's condition is deteriorating and this surgery needs to be performed as soon as possible. The surgeon originally wanted performed within the week.

FURTHER THE AFFIANT SAYETH NOT.



Preston F. McDaniel, Esquire  
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Attorney for Respondent/Claimant

SWORN TO BEFORE ME this  
4th day of March, 2016.

Andrea S. Ham (L.S.)

Notary Public for South Carolina

My Commission Expires: 2-27-24